



# Idaho's Citizen Commission for Reapportionment

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Public Meeting  
Tuesday, July 19, 2011  
Capitol Building, Capitol Auditorium  
10:00 a.m.

**Chairman Andersen** called the hearing of the commission to order. Present were: **Commissioner Esposito, Commissioner Finman, Commissioner Frasure, Commissioner Andersen, Commissioner Kane, and Commissioner Moses.** Present from the staff were **Mr. Keith Bybee, Ms. Kristin Ford, Mr. Todd Cutler, and Cyd Gaudet.**

**Chairman Andersen** asked if there were any additional comments or matters that needed to be addressed. **Commissioner Esposito** then indicated that he had done some work on C#38 that cleaned up some of the precincts and made the map easier to follow. He said that he had also looked at the northwest Boise neighborhoods and looked for another neighborhood that they could swap out with that one, to get them up to Highway 55. He said in doing that he came up with another map which he would call the Ustick/Echo Hawk Lane map. He indicated that the reason for this name was that the Ustick neighborhood follows Cloverdale Road from the freeway and then you head back east to Fairview to Five Mile. You then go to Edna, and then you take Edna back over to Cloverdale, and then you follow the rest of the district lines until you pick up Chinden. There instead of going east, you actually jog over to Hwy 55, and then you head north and follow it to Hwy 55 which takes you out of Ada County. He indicated that this actually picked up a little of Ada County to the west of Hwy 55; however, he felt that it provides the bright lines, and is an alternative. He said that in an effort for full disclosure, he does live in the Ustick neighborhood carve out. Then he said for the last map, he went back to looking at Five Mile again and came up with another option, if the commission so desired, to stick with Five Mile. He indicated that the staff was in the process of pulling these maps together and it would take ten to fifteen minutes to complete that. There was then some discussion about putting these maps up for consideration, and C#43 was then put up on the screen.

**Commissioner Esposito** then explained that C#43 is the cleaner version of Five Mile [C38], which he had borrowed largely from **Commissioner Frasure**, and that he thought that with a little cleaning up it would work a little better. In answer to a question from **Chairman Andersen, Commissioner Frasure** indicated that **Commissioner Esposito**, in an effort to move the process along, had worked on this map in looking for that bright line, so there would be no question where the lines run. He said that between the two of them they had been able to smooth out the lines to give a clear, distinct, bright line. **Commissioner Esposito** said that basically what they did was follow the traditional congressional line that everyone knows, and moved it over to Five Mile. From Five Mile you go straight down to Kuna Mora Road then to S. Eagle Road, then north to E. King Road, then west to Swan Falls Road, and then south on Swan Falls to the county line. He then thanked **Commissioner Frasure** for lending him a great deal of support to get this done. **Commissioner Frasure** then indicated that **Commissioner Esposito** deserves the credit on this one and he complimented him on the plan. He said that his goal was the bright lines concept, and he didn't know how much cleaner and brighter you could be. He indicated that if you pulled C#38 and put it beside this one you could, from the back of the room, see which has the straighter lines. **Commissioner Finman** then clarified that the deviation on this map was 0. **Commissioner Esposito** then indicated that all three maps that he will be presenting this morning are at 0% deviation.

**Mr. Cutler** then brought up C#44. **Commissioner Esposito** walked the commission thru C#44, and said that I-84 forms the north south boundary, and that as you come off I84 that Cloverdale goes north to Fairview and then you go east one mile to Five Mile. Then north 1 1/2 miles to Edna, and then you go back west back to Cloverdale. He said that it does follow Fairview with a little section carved out of the south east corner near the Fairview/Five Mile intersection, as this was the cleanest way to get to 0, and that those folks are the furthest from the Ustick neighborhood. He explained that once you head from Edna to Cloverdale you follow that to Chinden, and follow that west

one mile to Hwy 55 and up to Hill Road. He said that it takes that corner of Eagle and takes you to the New Hwy 55 straight north except for that area, with minimal population, west of the highway. He said that it follows clear roads and everybody up there knows Pearl Road. He also mentioned the Echo Hawk area, where he picked up 6 people. **Chairman Andersen** then asked, of the two presented so far, if **Commissioner Esposito** had to choose between C#44 or C#43, which he would recommend. **Commissioner Esposito** indicated that more than likely he would recommend C#43 as it followed the traditional lines on the northern boundary, and it holds more to the tradition; however, all are workable. **Chairman Andersen** then asked if there was another map that they were waiting for. **Commissioner Esposito** indicated yes, that it was a cleanup of map C#38, as it cleans up the precinct lines and makes some improvements in ease of following where the district lines are. He indicated that this map takes the southwest corner of Gary Lane and Hwy 44 to find a number of people there to clean that up to make it easy for people and the county clerk to follow.

**Chairman Andersen** then called a 10 minutes recess.

**Chairman Andersen** called the commission back to order and asked that they move on to the next map. **Mr. Cutler** explained that this was C#45. **Commissioner Esposito** explained that he did clean up in the area of Gary Lane and Hill Road and he just carved out a little corner at the bottom to get to 0% deviation. He indicated that in C#38 there was a carve out north of this, and that this is cleaner. He noted that a big part on this on the west side of State Street is a large apartment complex that picks up a large portion of the people, and there are a few small subdivisions that also come off there, so once again he thinks it will be easy for these folks to know they are in CD2.

**Commissioner Finman** then wanted to summarize that of the 13 maps on review, the majority of them are strongly defensible; that the deviations are 0 or 1, that most have one historical county split, with zero to a handful of precinct splits. She stated that they have good maps with minimal disruption to the State as a whole, and that there are lots of options on the bright lines, and maps that are easy for citizens to follow. **Commissioner Frasure** pointed out that there are 11 plans that are 0 or 1 deviation, and with the bright line concept they are good faith in trying to work towards that end. He recommend for simplicity that they look at C#38, C#43, C#44 and C#45. He indicated that C#38 did attract the most support from the commission, while two of the others are modifications of that, and one is simply the superior attempt at Five Mile. He recommended that they focus on these four to move the process along. **Chairman Andersen** asked if he was suggesting that the other 11 be set aside. **Commissioner Frasure** said yes, that they could leave the door open, but set aside the others. **Commissioner Kane** stated that they will get copies of C#37 to everyone. **Commissioner Frasure** indicated that if she would like to have that added to the list he had no objection, however he was attempting to cull down the number of plans under consideration. **Commissioner Moses** indicated that due to a software failure the copies of C#37 did not look like the others, however they did convey the essential information. **Commissioner Frasure** indicated that with the addition of C#37, he would propose that they narrow the maps for consideration down to include C#37, C#38, C#43, C#44 and C#45. **Chairman Andersen** then said that without objection they would include C#37 in that group. **Commissioner Moses** then wanted to confirm that they are not doing anything with the other maps except simply laying them aside. **Commissioner Frasure** said that is correct, that this is just an attempt to move the process forward, and for the sake of the discussion they can focus on these five. **Chairman Andersen** then called a recess, until 11:30 a.m. or call to the chair, whichever was earlier, to allow time to get copies of C#45.

**Chairman Andersen** reconvened the meeting and asked for any discussion. **Commissioner Frasure** indicated that in going from 45 plans down to 5, he would call that progress. He noted that they had lots to digest, and in looking at these 5 hopefully they would have a winner. He stated that although he has nine more that he is working on, they don't necessarily need to go there as they certainly have some to consider and he suggested that they recess for lunch. As there was no further discussion **Chairman Andersen** recessed until 2p.m.

**Chairman Andersen** reconvened the commission and advised the viewing audience that all current congressional maps, under consideration, are now available on line. He then asked for any other matters regarding the congressional maps. **Commissioner Frasure** indicated that this is the issue of the day, that they have narrowed it down to five plans. He indicated that they had been at this now for two weeks and reminded the commission of their target date of July 27<sup>th</sup>. He then asked that the staff how many more meetings they had until July 27<sup>th</sup>, and asked that the staff prepare a calendar for the commission to track the number of remaining meetings. **Ms. Ford** indicated there were three more meetings scheduled prior to July 27<sup>th</sup>. **Commissioner Frasure** then indicated he would like to bring each map up, open them up for discussion, hear any objections, and see if they could move forward to finish this project so they can move on to the legislative maps. He indicated that this is an open discussion, that from his perspective they have five maps up there, and that he would move and support the maps. He said this would be a useless exercise unless they had four votes supporting them; however he thought that they needed to talk through all five maps in moving toward a decision point. He said that they can keep cranking out maps, and if they have not seen a map that the majority of the commissioners support, he can spend the next week preparing another dozen or so to get them options, until they arrive at something acceptable. He noted that on the congressional maps, it is relatively simple and that if they cannot agree on two districts, he has no idea how they can agree on 35.

**Commissioner Moses** indicated that he appreciates all of the work that has gone into these maps, and as he stated before he thinks that they have a candidate, however he is not prepared to vote on these today. He suggested that the commission move on to the legislative maps and that the commission can vote on a congressional map at the end, as their predecessors did. **Commissioner Frasure** indicated that they are not bound by what the last commission did, and that they have established their own policies and procedures. He indicated that this commission should learn from the prior commission's mistakes, as they ran the clock on this, and had to go to court three times. He pointed out that if they have a winner, he would like the reasoning on why they should not vote and continue on. **Commissioner Moses** indicated that he is simply not comfortable that they have a package that he would be comfortable taking to the Secretary of State.

**Commissioner Frasure** said that they would just continue until he reached that comfort level, and asked why he would care to muddy the

water, and stop all of the momentum. He said that the commission had indicated that they would finish the congressional plan and then move on. He stated that they will keep giving options until they see something they are comfortable with. **Commissioner Moses** indicated that he was confused why the commission can't move on and leave the finishing touches to the congressional map until their final deliberations. He stated that the commission can do this, and in his opinion they could get it done by July 27<sup>th</sup> if they moved on now with the legislative maps. **Commissioner Frasure** concurred that they do need to move on; however, they need to settle this and move on. He indicated that they have given them three more options today, all of which meet the constitutional requirements, and that they can go on forever, however he is still curious why there is such a refusal to finish one issue and then move on to the next. He stated that they are separate issues. They have the constitutional responsibility to establish congressional lines, and a constitutional responsibility to establish legislative lines. The indication from day one was to get through with the easy one and then move on to the hard one. He suggested that to somehow hold this one hostage for some kind of a bargaining chip doesn't make a lot of sense from his perspective. And he indicated concern that they can't settle the small issue, when they are at a decision point. He was reminded of the legislative process, holding up debate on one bill while holding debate on another bill, but that doesn't apply to the redistricting process. He stated that they will continue to be as open as they can, and would certainly appreciate the input in telling them what the imperfection is in these plans. He indicated that if they have a winner, they should vote on it and move on. **Chairman Andersen** indicated that a motion is in order at any time, and if anyone feels that a motion should be made he thought that the commission would welcome that.

**Commissioner Finman** then asked what **Commissioner Moses** was not comfortable with. **Commissioner Moses** indicated that he was not comfortable coming to a final decision on this point. **Commissioner Finman** then repeated the question of what he was not comfortable with. She pointed out that the plans are very good solutions, that they are very strongly legally defensible, and that she could only see a political reason to delay this at this point. **Chairman Andersen** then suggested that perhaps he could offer some enlightenment. He indicated that he had done some research of the prior commission's minutes. He then handed out a copy of their minutes from their last meeting, in which they adopted the legislative plan first, and then the congressional plan. He said that he thought it was appropriate for this commission to review the process that they went through to finalize their vote on these two areas. He said that he realizes that it probably would be comfortable to adopt the congressional plan at this time; however, as **Commissioner Moses** has pointed out he is not comfortable with the maps as they have been presented, for whatever reason. **Commissioner Moses** then indicated that his discomfort is not with the maps, it is with the decision process. **Chairman Andersen** then encouraged the commissioners to review the minutes and the motions that were made, and the process that they used to adopt the congressional as well as the legislative maps. He said that he thinks that this gives them some direction that they should keep in mind when they are dealing with an issue that has so much of a bearing on the voters of this state. He indicated that he doesn't see the crisis in not taking a vote at this time; however, he was prepared to accept any motions to be made regarding this.

**Commissioner Frasure** reiterated that this is their commission, that the prior commission made critical errors, including the 10.2% deviation, which they chose to defend, that ended up costing the State several thousand dollars and went clear until March. He indicated that to somehow hold this hostage, and use this as some kind of leverage when it comes to the legislative process is not acceptable. He stated that they have two totally separate issues that need to be decided based on the merits of the legislation and not on some hidden or public agenda that somehow uses this leverage. He stated that they are at decision time and that they have 3 commissioners on this side that are ready and able to support any motion on 4 of the 5 plans. He said that he supposed that they could try them by making motions and once the motion was made they would have their response. He stated that they have bent over backwards to give options to the commission, and if they have agreement let's agree, but to use this as some type of leverage to hold this up, and use as a bargaining chip, is unacceptable. He said they would continue cranking on until they come to an agreement; however it is a crying shame as they are wasting a ton of time. He said that they are ready to make a decision and move forward and that they still have a shot at making their goal, or they can continue this ongoing debate. He indicated that they can shift back and start talking about the five plans, and that they have 2 ½ hours to discuss the five plans. **Commissioner Kane** then indicated that she had to object to the mischaracterizations that are being made about their wanting to wait until after the final process is over. She said that they are mischaracterizing it, and this is incorrect. She said that you can characterize anything that the former commission did as critical errors, and maybe they were or they weren't, maybe it's traditional and maybe it's not, however she is ready to move forward on some legislative maps, and she knows that they have some good input on legislative maps too. She indicated that she comes from a long distance to get here, and that there is 2 ½ hours, or more, left, and she is ready to get to work. She indicated that when she comes down here she wants to get the business done. She said that they are done with the congressional maps for now, so why not move forward with the legislative maps.

**Chairman Andersen** indicated that a motion was in order at any time. **Commissioner Esposito** stated that he was exasperated by what's taking place. He felt that they were moving through this process in a way that was collegial, and that was putting the interests of the people first. He said that they had bent over backwards to find viable solutions to address some concerns voiced by other members of this commission. He stated that, as **Commissioner Finman** has pointed out, they have plans that meet the constitutional muster and the spirit of what they are trying to get done. He said that they have good options that will withstand court challengers, and that basically most people would be happy with. He said that more importantly he thinks that they have at least four maps that would withstand any court challenge, and he finds himself asking why they couldn't put this one behind them and move on to the legislative maps, which those on his side, would all love to move on to. He indicated that they had met the challenge, and met the task, and that they have a good example of what not to be doing right now with the budget negotiations in Washington, D.C. He said that if they can get to the first point of agreement, then let's have this vote and then move on and keep the momentum of how they've approached this going. He said that they have taken a tremendous amount of public input and testimony. They've had a clear definition of the rules and regulations and the court cases that they need to follow in looking at the legislative maps. He indicated that what's going to become key is the artful part, and they need to have agreement, and the ability to work closely together on the artful, or political part, of this. He said that the dirty little secret on

this is that there are some political aspects to this, which are going to play. And in order for the commission to get there, they need to be able to look at the work that has been done now, have approval on that, and move on to be able to complete the process in such a way that keeps everybody at the table and keeps everybody in a collegial approach to getting this done. At the end of the day, even engaging in this artful process, they still need to focus on taking care of the business at hand, and that is doing the very best job for the citizens of the State. He believes they can still meet the deadline of July 27<sup>th</sup>, if they approve one of the congressional plans today. They have every reason to move forward in good faith, and to get this done, and be able to move on.

**Commissioner Moses** indicated that he shares **Commissioner Esposito's** exasperation. As far as compromise goes, he thinks that the maps which they have before them for consideration all match the other side's original proposals far more than they match theirs, so any suggestion of a lack of give on their part misses the facts. He stated that they can and should move forward, and he did not see holding the rest of the process hostage to a vote that can be taken any time, as there is no objective reason for them to make a final decision on this now. In this case the insistence on an immediate vote has become a road block, and is the only roadblock that is keeping them from moving forward, and he would hope that they could move it out of the way quickly. **Commissioner Frasure** then indicated that they could bring up the votes and they can kill all five of these bills, and that this is where they are headed to if it is the desire of the commissioners to do that. He said that then they would start back at zero because if they kill them all they do not have a bill before them for consideration. He said that he was under the impression a few moments ago that **Commissioner Moses** had something that he liked. However, if he would like them to go ahead and force those votes, and if it is the desire of **Commissioner Moses** to kill those options that he says he can live with, they can proceed with those motions. **Commissioner Moses** indicated that he is not advocating killing these motions in any respect, the only thing that he is advocating is keeping them under consideration and moving on to the legislative matters before them. **Commissioner Frasure** indicated that if this is the position that you are in, you are saying that you want to leave these in limbo, so we will go ahead and make these motions, and we will see if there is any of them that you can live with. He said that they will start eliminating them one at a time, and if that is the desire they will proceed with making the motions. He indicated that then they will get a chance to vote, and once they clear the deck with these five, they will continue this afternoon bringing down more plans. He said that obviously if you vote no, then these are not acceptable to you, and we will simply move on, and since that is the desire then he can start making those motions and they will wipe them out.

**Commissioner Frasure** then made a motion to adopt C#45 as their final plan. **Commissioner Finman** seconded the motion. **Commissioner Frasure** then suggested that it would be appropriate to discuss the plan before the vote was taken. He stated that C#45 was excellent work and he wanted to commend **Commissioner Esposito**, who had cleaned up a prior plan, and made it much more acceptable. He stated that it was an excellent plan and something that they could live with. He said that this was the art of compromise, and that all six commissioners had expressed a willingness to accept this as a plan, and he felt it was something that they should adopt. **Commissioner Finman** then pointed out that the plan has 0% deviation and 1 historical county split. The motion failed with **Commissioner Esposito**, **Commissioner Finman**, and **Commissioner Frasure** voting yes, **Chairman Andersen** and **Commissioner Kane** abstaining, and **Commissioner Moses** voting no.

**Commissioner Frasure** then said that they would go down the line and see how they proceed from there. He said that he found it interesting that they are here to make decisions, and he made note of the current president who refused to vote when he was a Senator in Illinois and he finds that interesting. **Chairman Andersen** indicated that he would appreciate it if the commission not focus this on partisan politics, which he was doing by invoking a presidential situation and that if he wanted to deal with the editorializing and politicizing of this, he would call him out of order. **Commissioner Frasure** indicated that he could attempt to call him out of order, however the point was that they just made the first vote of abstention that they have had. If you are in the legislature you are expected to vote yes or no, and that although he recognizes that they are not in the legislature, you can use that tactic because they did not adopt a rule not to. He said that they would end up killing all these bills which will take them back to square 0, and they will proceed to put back a batch more. He said this was a crying shame as there had been a lot of work on these bills.

**Commissioner Frasure** then moved that the commission adopt C#44. **Commissioner Finman** seconded the motion. **Commissioner Frasure** explained that this plan is an excellent attempt at cleaning up C#38. He indicated that **Commissioner Esposito** did a good job, and in good faith he put this forward by trying to give the commission some flexibility in solving this problem. He said that they can certainly dispose of these and carry on, however what this plan does is clean up some small flaws, it is a one county split plan with the bright line concept. He urged that the commission pass C#44, as it is an excellent plan, and it accomplishes all of the guidelines. The motion failed with **Commissioner Esposito**, **Commissioner Finman** and **Commissioner Frasure** voting yes, **Chairman Andersen**, **Commissioner Kane**, and **Commissioner Moses** abstaining. **Commissioner Frasure** indicated that once these plans are defeated they are gone and lost. He wanted to remind that commission that this was 3 yes and 3 refusing to vote, and they will continue the slaughter.

**Chairman Andersen** then called a 10 minute recess at 3:35pm.

**Chairman Andersen** reconvened the commission at 3:50 pm. **Commissioner Frasure** moved that they approve C#43 as their final plan. **Commissioner Finman** seconded the motion. **Commissioner Frasure** indicated that this map has the cleanest line, and it makes it very easy for the citizens of Idaho. He said that it is at 0 deviation, and it follows the historical split of Ada County. He noted that the Five Mile concept had received the most public support in the Meridian hearing, and it appears to be an excellent plan, and once again he wanted to compliment **Commissioner Esposito** for doing a fine job of cleaning up the map as well. **Commissioner Finman** also indicated that this plan is one of the least disruptive to the people of the State. The motion failed with **Chairman Andersen**, **Commissioner Kane**, and **Commissioner Moses** abstaining, and **Commissioner Esposito**, **Commissioner Finman**, and **Commissioner Frasure** voting yes.

**Commissioner Frasure** then moved that they adopt C#38 as their final plan. **Commissioner Finman** seconded the motion. **Commissioner Frasure** then noted that this is one that they had all gone on the record saying was a wonderful plan, and it is something that they all had agreed to, and he hoped that they could get a positive vote and move on. The motion failed with **Chairman Andersen** and **Commissioner Kane** abstaining, **Commissioner Esposito**, **Commissioner Finman** and **Commissioner Frasure** voting yes, and **Commissioner Moses** voting no.

**Commissioner Frasure** then moved that the commission reject C#37. **Commissioner Finman** seconded the motion. **Commissioner Frasure** pointed out that this plan would put the folks in Lemhi and Custer in an awkward position of having almost no access to a congressman, as it would take all day one way trips to get to a congressional office, and in those small rural counties, people would have to travel out of state to get to their congressman. He said that this plan also breaks from the tradition that they have had in the past, and puts them in a position where they are moving over 300,000 people into a new Congressional district, and that it does not make any sense. The motion failed with **Chairman Andersen**, **Commissioner Kane**, and **Commissioner Moses** abstaining, and **Commissioner Esposito**, **Commissioner Finman** and **Commissioner Frasure** voting yes. **Chairman Andersen** then called for a 5 minute recess.

**Chairman Andersen** reconvened the commission and asked for any discussion. **Commissioner Moses** noted that their agenda calls for them to consider the legislative plans this afternoon as well as the congressional plans, and that he had a legislative plan that he would like to place before the commission. **Commissioner Frasure** objected. **Chairman Andersen** asked **Commissioner Frasure** to explain his objection. **Commissioner Frasure** objected to moving off of the congressional plans and moving on to the presentation of the legislative plans. **Commissioner Moses** then indicated that the agenda calls for consideration of legislative plans this afternoon and that is why he wished to make his presentation at this time. **Commissioner Frasure** indicated that an objection was an objection, and as he clearly knows the rules, if he wants to make a motion to overrule that objection he can do that. **Chairman Andersen** asked **Commissioner Moses** if he would like to make that in the form of a motion. **Commissioner Moses** stated that he would like a ruling from the chair, that if the agenda calls for consideration of legislative plans, can the commissioner submit a legislative plan. **Chairman Andersen** then indicated that since the agenda calls for review of congressional and possible consideration of legislative plans submitted by the public, he would move that the commission review the legislative plans submitted by the public. **Commissioner Frasure** indicated that **Chairman Andersen** cannot make that motion to begin with, that a motion can be made, however they object to the motion, and that he can call for a vote on that objection, but as a chair it doesn't mean that you can somehow override the committee. **Commissioner Moses** then called for a point of order as the chair has the obligation to enforce the agenda, and he has made the ruling. It is inappropriate to challenge that ruling, unless it is by a motion to overrule the chair. **Chairman Andersen** then asked if there was a motion to overrule the chair.

**Commissioner Frasure** indicated that you can tie this process up, and if he wants to make those rulings they can take a vote to overrule the chair, if he wants to make that motion. In answer to a question about this statement **Commissioner Frasure** clarified that it would be up to **Commissioner Moses** to make that motion. **Commissioner Moses** indicated that he felt **Commissioner Frasure** had it the other way around. The chair has ruled, and that's fine with him. He said that if you want to overrule the chair, that would require a motion.

**Commissioner Frasure** then asked for a 5 minute recess which **Chairman Andersen** called.

**Chairman Andersen** reconvened the meeting at 3:25. **Commissioner Moses** then indicated that he would like to make his presentation. **Commissioner Frasure** then stated he would like to withdraw the objection. **Commissioner Moses** then called for a point of order as he made a request, and the chair ruled in his favor, and if the objection comes to the chair it is the chair's authority to rule, and he believed that if the objecting party does not like the ruling they may ask for a vote to overturn it. **Commissioner Frasure** then pointed out that **Commissioner Moses** did not observe what he had done, which was that he had withdrawn the objection. He indicated that the chair made a ruling, he objected to that, and he has now withdrawn his objection, and confirmed that the floor is clear.

**Commissioner Moses** then had binders passed out to the commissioners outlining the Legislative plan which he wanted to place before the commission. He pointed out that it has 35 seats, with a 9.82% total deviation. He stated that in hearings throughout the state the testimony was almost unanimous for a legislature this size. He explained that the plan was designed to keep counties intact, to the maximum extent possible, as required by the Idaho Constitution, Article 3, Section 5. He said that it was further designed to honor communities of interest by county and by city. He said that the commission heard substantial testimony that school districts were considered by many also to be communities of interest, and where they are kept whole or substantially whole that has been noted. He noted that many witnesses requested a plan that's fair, and that this plan is as fair as they can make it within the stricture as required by the Idaho Constitution. He indicated that 5 counties must be split because their numbers do not permit them to remain wholly within one, or more, legislative districts. These counties are Bonneville, Bannock, Twin Falls, Canyon, and Bonner. This plan also extracts one precinct from Teton County, making it and Madison the correct size for a district. He stated that all other counties are undivided. He noted that they had heard a great deal of testimony from the people in the east that this region got slighted during the last process, so he would start his presentation from District 35, moving west and then north. He then presented the districts, which are numbered consecutively from the north, in his plan as follows:

**District 35** This District contains all of Fremont, Jefferson, Clark, and Butte counties, it contains all of Fremont County JSD, Clark County SD, Jefferson County JSD, and West Jefferson SD and that part of the Butte County JSD that is in Butte County. The cities of Island Park, Ashton, Parker, Warm River, Mud Lake, and Arco are in this district.

**District 34** This district includes all of Madison county and Teton county minus one precinct, includes Madison SD and virtually all of Teton County SD. This area has been heavily impacted by the conversion of the former Ricks College to BYU-Idaho, and these counties share that impact.

**District 33** This district is approximately the City of Idaho Falls.

**District 32** This district is made up of the immediate surrounds of Idaho Falls.

**District 31** Contains Oneida, Franklin, Bear Lake and Caribou counties, east Bonneville County and a very small portion (one precinct) of Teton County. This district removed the northernmost county of the former District 31 while maintaining economic communities of interest of the area. Residents were uniformly dissatisfied with the makeup of the previous district. The district contains Oneida SD, Preston JSD, Bear Lake County SD, Grace JSC, North Gem SD, Soda Springs JSD, Swan Valley ESD, and that part of Bonneville JSD that it is in Bonneville County.

[At this point, Commissioner Moses noted that these lists of cities are representative and not exhaustive.]

**District 30** This district is composed entirely and exclusively of Bingham County. The district contains Snake River SD, Aberdeen SD, Blackfoot SD and Firth SD. Bingham County officials have asked that Bingham County be maintained in a single district, and its population permits that.

**Bannock County** has a larger population than one district and not enough for two.

**District 29** City of Pocatello - City officials and residents have requested that Pocatello be in one legislative district. This district is also home to Idaho State University.

**District 28** The district includes Power County and northern Bannock County outside of Pocatello. The district keeps Power County intact, and the Bannock County portion is compact. It includes American Falls JSD, Rockland SD, and Arbon ESD. Included are the cities of Rockland, Chubbuck, and McCammon.

**Twin Falls County** contains too many people for one district and not enough for two, and must therefore be divided.

**District 27** Minidoka, Cassia, and part of Twin Falls counties. This district keeps Cassia and Minidoka Counties intact. The district includes all of Hansen SD, Cassia County JSD, Kimberly SD, and Minidoka JSD that is in Minidoka County. Mini-Cassia is a locally developed entity, closely bound by economic interests, a joint chamber of commerce and joint marketing efforts. The district would include the cities of Paul, Rupert, Heyburn, Declo and Albion.

**District 26 Contains** Gooding, Lincoln, Blaine, Camas and part of Twin Falls County. Keeps intact Gooding JSD, Wendell SD, Camas County SD, Blaine County SD, Dietrich SD, and Richfield SD, most of Hagerman JSD, Bliss JSD and Shoshone JSD. Local officials and residents have asked that each of these counties be kept whole, and expressed support for this configuration. The district includes the cities of Sun Valley, Ketchum, Hailey, Bellevue, Shoshone, Carey, Hagerman, and Gooding.

**District 25** This district contains the City of Twin Falls. Residents have requested that the City of Twin Falls be kept in one district. Home to College of Southern Idaho.

**District 24** This district includes Jerome and south Twin Falls counties. Keeps Jerome County intact, keeps Valley SD whole, and contains all of Jerome JSD that is in Jerome County. The district contains the Cities of Jerome, Hazelton, Kimberly and Hollister.

**District 23** This district contains all of Elmore, Boise, Custer and Lemhi Counties. The district includes all of Mountain Home SD, Prairie ESD, Horseshoe Bend SD, Basin SD, Garden Valley SD, Challis SD, Salmon SD, South Lemhi SD. Mackay JSD and Glenns Ferry JSD are largely in this district, but cross county lines. The district includes the cities of Mountain Home, Glenns Ferry, Pine, Lowman, Stanley, Salmon, and Mackay.

**Ada County** is kept intact with nine complete districts, all within 5% of 44,788.

**District 22** This district contains SE Boise including the Lakewood, River Run and Surprise Valley neighborhoods and Harris Ranch, which has recently been connected to SE Boise by the Park Center Bridge.

**District 21** This district contains primarily the Central bench area of Boise. It includes Boise State University.

**District 20** This district contains Downtown Boise, as well as Boise's North End and Highlands neighborhoods and Hidden Springs.

**District 19** This district is composed of Garden City and immediately surrounding areas.

**District 18** This district is West Boise centered roughly on the intersection of 5 Mile Road and Ustick Road.

**District 17** NW corner of Ada County. The cities of Eagle and Star are kept intact.

**District 16** City of Meridian - Meridian officials have requested that the City of Meridian be contained in one district as much as possible.

**District 15** This district contains West Ada County and south Meridian.

**District 14** This district contains SW Ada County including the City of Kuna. These are some of the fastest growing regions of the state.

**Canyon County** does not contain a number of people sufficient to prevent its division. Multiple divisions of Canyon prevent the division of another county.

**District 13** SW Canyon and Owyhee Counties. This district contains Marsing JSD, Pleasant Valley Elementary School District ESD, and most of Bruneau-Grand View JSD, which crosses into Twin Falls County. It also contains the cities of Marsing and Murphy. It is home to the College of Western Idaho's headquarters.

**District 12** Is essentially the City of Nampa and Northwest Nazarene University.

**District 11** District is approximately the City of Caldwell. It contains Caldwell SD and College of Idaho. Caldwell city officials have requested that the city be contained in one district as much as possible

**District 10** Is comprised of western Canyon County, entirely within the county. It contains all of Parma and Wilder SD. It also contains the cities of Parma, Notus, Greenleaf and Wilder.

**District 9** This district is made up of Gem and northeast Canyon County; the city of Middleton, and most of Middleton SD and parts of the Valley View SD and parts of Emmett SD and the city of Emmett are in this district.

**District 8** This district combines Adams, Valley, and Washington Counties in their entirety. This rural district includes Meadows Valley SD, Council SD, McCall-Donnelly JSD, and Cascade SD. It contains McCall, Cascade and Donnelly.

**District 7** This district combines Nez Perce and Lewis counties without dividing either. This district contains intact Lewiston JSD, Culdesac JSD, and virtually all of Highland JSD, except for the part in Idaho County. The City of Lewiston and Lewis and Clark State College are in this district.

**District 6** This district contains Benewah and Latah counties without dividing either. The district contains intact St. Maries JSD, Potlatch SD and Troy SD, which are the only districts entirely within the two counties. Other school districts cross county lines. The City of Moscow and the University of Idaho are also in this district. Numerous public witnesses requested both counties be kept whole and combined for purposes of a legislative district.

### **Kootenai County**

Contains 3 complete districts without going outside the county.

**District 5** This district encompasses south Kootenai County. It contains the Kootenai Joint School District, and a portion of the Coeur d'Alene reservation, including the towns of Worley and Plummer.

**District 4** This district is composed entirely of precincts from the City of Coeur d'Alene. Numerous witnesses and public officials requested the City of Coeur d'Alene be kept intact in one legislative district, as it is in this formulation. This district is also home to North Idaho College.

**District 3** This district comprises North Kootenai County, is entirely within Kootenai County, and keeps Lakeland Joint School District JSD virtually intact.

**District 2** Bonner County is necessarily divided due to its relationship with Boundary County. Placing the remainder in this district permits the formation of three districts in Kootenai County without violating that county's borders. The district as drawn keeps Shoshone, Clearwater and Idaho counties intact. It includes all of Wallace School District SD, Mullan SD, Avery SD, Orofino JSD, Cottonwood JSD and Mountain View SD. This formulation creates a largely rural district, as many local residents have requested.

**District 1** Boundary and part of Bonner County. Even though Bonner County has sufficient population to be a district by itself, it must be divided because: 1) Boundary County has insufficient population to be a district by itself, 2) Boundary County is contiguous only to Bonner County, 3) Boundary and Bonner Counties combined have too much population to be a district, and 4) the Idaho Constitution requires that legislative districts "shall be composed of contiguous counties".

**Commissioner Moses** indicated this was proposed with the principle of one person=one vote in mind, that they kept the numbers as close as they could, consistent with the obligation that they have to the Idaho Constitution to keep counties whole as much as possible, and that he would like to place this plan before the committee for their perusal. **Commissioner Esposito** complimented him and stated that he

appreciated the level of work that went into this and the thoroughness. He said that he had given them quite a lot to look at and contemplate. He said that he was going to be interested to see how this matches up with some of the other criteria such as access by roads and public testimony. He indicated that he appreciated, having done a number of maps, the level of effort that this has taken.

**Commissioner Moses** thanked the commissioner for his sentiments, and stated that when he went back through the public testimony he found all kinds of people wanting all kinds of things, and that they had done the best they could. **Commissioner Esposito** then stated that **Commissioner Moses** had given them quite a bit to digest, and he would appreciate it if they could adjourn for the day, and give them time to look at this and look at the next steps for next week.

**Chairman Andersen** then adjourned the meeting.

**Mr. Bybee** stated that he would like to recommend that the commission name **Commissioner Moses'** plan for the record. **Mr. Cutler** indicated that this would be L#28.

**Chairman Anderson** then re-adjourned the meeting at 3:45 pm.